

CALIFORNIA STATE COASTAL CONSERVANCY

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OAKLAND, CA 94612
ATSS 561-1015
TELEPHONE 415/464-1015



July 21, 1987

Jonathan Horne
1299 Ocean Avenue Suite 213
Santa Monica, California 90401

Re: Donahue Wildman property
27900 Pacific Coast Highway

Dear Mr. Horne:

Per your request, I am enclosing documentation relevant to actions by the Coastal Conservancy to accept public access easements offered on the above referenced property. As you know, the Conservancy accepted the vertical easement by Certificate of Acceptance recorded April 5, 1983; formal acceptance of the easement for parking purposes has been delayed pending resolution of the issue raised by physical obstructions of the easement area (fencing, landscaping) on the property. (The lateral access referred to in the June 11, 1982 Project Synopsis is, I believe, the subject of a deed restriction recorded by the prior owners and thus would not be further acted upon by the Conservancy.)

In addition to the June 11, 1982 resolution and accompanying Project Synopsis for the project (which would have been provided to the landowner, along with an agenda at least ten days prior to the date of the Conservancy meeting), I have enclosed a copy of the "GUIDELINES AND CRITERIA FOR CONSERVANCY ACCEPTANCE OF DEDICATIONS AND DONATIONS OF LESS-THAN-FEE INTERESTS IN REAL PROPERTY", adopted by the Conservancy on January 4, 1979; and Revised Coastal Access Standards as adopted on December 2, 1981 by the California Coastal Commission and on December 9, 1981 by the Conservancy. The Coastal Access Standards provide general guidelines for the location and development of public accessways that were in effect at the time the Conservancy authorized acceptance of the easements on Mr. Wildman's property. More detailed design recommendations for the development of accessways were included in the CASE report mentioned in paragraph 3; unfortunately, this report is no longer available. I have enclosed instead a copy of its 1987 successor, Public Beaches: An Owners' Manual, by Thomas H. Mikkelsen and Donald B. Neuwirth.

I hope this information will be helpful to you in your efforts to establish the likelihood that the Conservancy, having accepted the vertical easement, would develop it for public use. In that regard, you should be aware that staff notes in our files indicate that Conservancy representatives did walk the property and discuss the possible construction of a stairway to the beach with Mr. Chiate, the

Jonathon Horne
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page two

principal grantor and coastal permit applicant, following board action. However, no technical feasibility studies or design work has been initiated. More recently, as Mr. Stacey's records should reflect, the relocation of portions of the trail easement has been the subject of correspondence and discussions with Conservancy staff, in an effort to resolve current problems on the property, and with a view to ultimately opening the accessway for public use. At no time has the Conservancy determined to abandon, relocate, or leave undeveloped, the easement area. At this time, both the parking and vertical easements are obstructed by private development. Our position has been, and remains, that these obstructions must be removed, or a mutually satisfactory relocation of the easements effected.

Sincerely,

A handwritten signature in dark ink, appearing to read "Marcia Grimm", with a long horizontal flourish extending to the right.

Marcia Grimm
Staff Counsel

STATE COASTAL CONSERVANCY

Staff Recommendation

June 11, 1982

CONSENT ITEMS

File Nos. 82-01-03, 82-01-04, 82-01-06, 82-01-07, 82-01-05, 82-01-08
D-82-10, D-82-11, D-82-12, D-82-14, D-82-15, and A-30-MON-020-80

STAFF
RECOMMENDATION: Staff recommends that the Conservancy adopt the following
resolution, pursuant to Sections 33203.5, 31104.1, and
31400-31405 of the Public Resources Code:

"The State Coastal Conservancy hereby:

1. Authorizes the Santa Monica Mountains Conservancy:
 - a. to acquire the Upper Cold Creek Habitat site for limited residential development and preservation of the remainder as trail, parks, and wildlife habitat;
 - b. to acquire Temescal Canyon for future recreational use;
 - c. to acquire excess public agency property, when feasible, for future recreational and/or commercial ventures;
 - d. to enter into a lease/option agreement with the California Department of Parks and Recreation to secure the Malibu Little League Field for interim use by the Malibu Little League;
 - e. to acquire the Old Topanga Fire Lookout for a scenic overlook and installation of a day use facility; and
 - f. to proceed with a developer agreement that provides for the purchase or donation of a scenic easement and trail easement over the Greer Ranch.
2. Agrees to accept:
 - a. the following two offers of dedication: (1) an easement for lateral access (Document No. 80-679383 of the Official Records of Los Angeles County) and (2) an easement for vertical access (Document No. 80-679-384 of the Official Records of Los Angeles County); both of which were executed by Frank and Lynne Erpelding on July 15, 1980 and recorded on July 16, 1980;
 - b. the following two offers of dedication: (1) an easement for vertical access (Document No. 81-279808 of the Official Records of Los Angeles County) and (2) an easement for

- lateral access (Document No. 81-279809 of the Official Records of Los Angeles County); both of which were executed by the Estate of Eloise M. Burnett, Albatross Hotel, Inc. and Felina's, Inc. on October 11, 1979 and recorded on March 19, 1981;
- (c.) the following three offers of dedication executed by Kenneth R. Chiate, Jeanette Chiate, Marilyn S. Wolk and Roger S. Wolk: (1) an easement for vertical access, executed on December 21, 1981 and recorded in the Official Records of Los Angeles County on December 23, 1981; (2) an easement for lateral access, executed on November 18, 1980 and recorded in the Official Records of Los Angeles County on November 18, 1980; and (3) an easement for public parking, executed on December 18, 1981 and recorded in the Official Records of Los Angeles County on January 6, 1982;
- d. the following offer of dedication: an open space easement, executed by Robert McMillan on February 28, 1978 and recorded in the Official Records of Mendocino County on April 18, 1978, and the following conveyance: a conveyance of an access easement by the Mendocino Community Land Trust upon its acceptance of the original offer of dedication executed by Robert McMillan on February 28, 1978 and recorded in the Official Records of Mendocino County on April 18, 1978;
- e. the following two offers of dedication: (1) an easement executed by John J. and Ida L. Bower for vertical and lateral access, executed on October 12, 1977 and recorded in the Official Records of Mendocino County on November 18, 1977, and (2) an easement for lateral access, executed on April 3, 1981 and recorded in the Official Records of Mendocino County on April 14, 1981.
3. Authorizes the disbursal of an amount not to exceed \$15,600 to the County of Monterey to augment Conservancy Contract No. 80-010 for erosion control landscaping at the Scenic Road-Carmel Point Accessway Project and approves a one-year extension of the said Contract to June 30, 1983."

STATE COASTAL CONSERVANCY

Project Synopsis 2.b

June 11, 1982

CHIA TE ACCESS AND PARKING EASEMENTS

File No.: D-82-12

REQUESTED ACTION: Acceptance of three offers to dedicate for public parking and vertical and lateral access easements within a 2.7 acre parcel in Malibu.

SHORT DESCRIPTION: Provision for future public parking adjacent to Highway One and of public beach access near Paradise Cove in Malibu, by acceptance of three offers to dedicate easements.

LOCATION: The unincorporated area of Malibu, 27900 Pacific Coast Highway, Los Angeles County, South Coast Region (see Exhibits 1 and 2):

PROGRAM CATEGORY: Less-than-fee dedication.

PRELIMINARY COST ESTIMATE: Administrative support costs.

STAFF DISCUSSION:
Project Description-

This project entails the acceptance by the Conservancy of two offers to dedicate access easements, lateral and vertical, and one offer to dedicate a parking easement, all of which are located at 27900 Pacific Coast Highway (west of Highway One) near Paradise Cove in the unincorporated area of Malibu, Los Angeles County (see Exhibit 1). The parking easement is 25 feet wide and located parallel and adjacent to the Highway, within the same area designated on the property as previously offered for dedication as "Future

Street" on recorded Parcel Map No. 7543 (see Exhibit 2). Upon commencement of street construction by Los Angeles County, this easement will be extinguished by the terms of the easement, because its purpose -- safe and adequate public parking for beach access -- will be carried out by the County in its management of the public street. The vertical access easement is 10 feet wide, following an existing trail along the most easterly portion of the property. The lateral access easement follows the entire length of the parcel abutting the Pacific Ocean, extending inland 25 feet from the mean high tide line.

Site History-

The offers to dedicate were recorded by Roger S. Wolk, Marilyn S. Wolk, Kenneth R. Chiate, and Jeannette Chiate, pursuant to Coastal Commission Permit Nos. 5-81-35 (public parking), PE-80-2707 (lateral access), and 5-81-44(A1) (vertical access). The permit applicants sought to subdivide a lot into two parcels, and later to construct a two-story single-family residence and additional structures. Because the property was located west of Highway One, between the first public road and the sea, public access was at issue. The South Coast Regional and the California Coastal Commission found that without provision for public access to the beach and adequate public parking, the development would not have been in conformity with Chapter 3 of the Coastal Act.

CONSISTENCY WITH
THE CONSERVANCY'S
LEGISLATION:

The Conservancy is authorized under Public Resources Code Section 31104.1 to accept offers of dedication of less-than-fee interests in land whose reservation is required to meet the policies and objectives of the California Coastal Act of 1976 (commencing with Public Resources Code Section 30000). The latter determination has already been made by the Coastal Commission.

CONSISTENCY WITH
CONSERVANCY
GUIDELINES:

Significance- The South Coast Regional Commission and the State Coastal Commission found that without the offers of dedication, the development could not have been consistent with the Coastal Act. Acceptance of the easements complements and has been supported by, the Santa Monica Mountains/State Coastal Conservancy Joint Trails Grant Program because this action increases public access to the Malibu-Santa Monica Mountains Region.

Need- Public acquisition of fee title is unnecessary since the easements provide parking and access to the beach. Los Angeles County is unwilling at present to accept the offers, and the Santa Monica Mountains Conservancy lacks jurisdiction west of Highway One. Therefore, the Conservancy appears to be the most appropriate agency to accept the offers of dedication.

Management and Maintenance- These unpaved easements do not require any development to be made safe and adequate for public use. Some maintenance, such as litter pickup, will periodically be required, however. Until the Conservancy finds an appropriate public agency or private nonprofit organization to perform such tasks, the easement will remain closed. When the accessways are opened, the Conservancy will be statutorily immune from liability to recreational users of the unpaved easements, under the provisions of Government Code Section 831.4.

Scope- Public access in Malibu is of more than local interest because of the high demand placed on beach use in the area. In 1979, the population of the County was five million and there were more than fourteen million Malibu beach visits, and more than fifty million visits to Los Angeles County beaches. There is no public beach access for more than two miles to the east (Zuma Beach) and more than two miles to the west (Corral Beach) of the site. The property site is in a rural area, where traffic moves at maximum speed. Without adequate and safe public parking in addition to the accessways, their use by the public could be precluded. The County has no immediate plans to develop the future street.

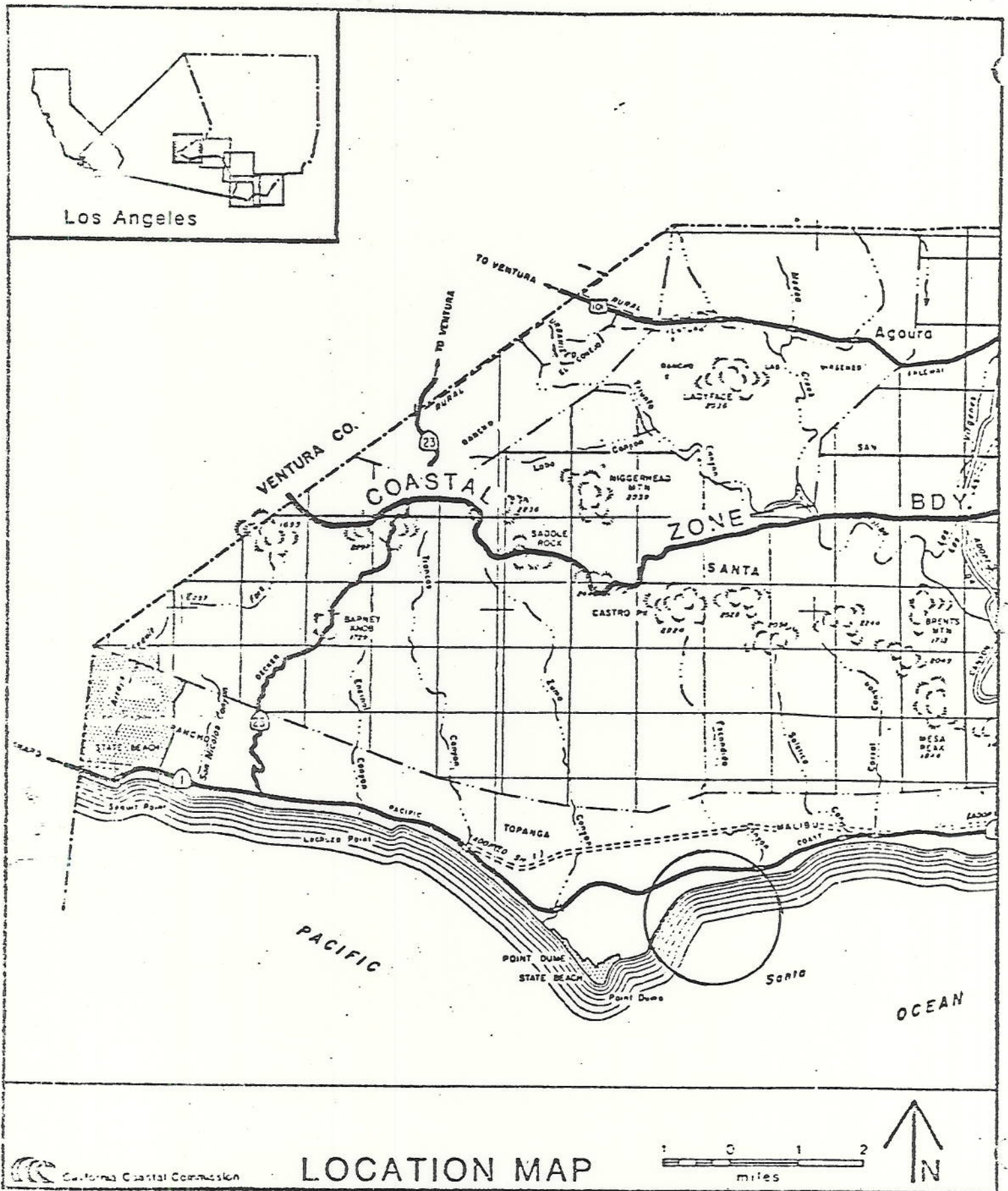
Cooperation with Local Government- Los Angeles County supports the Conservancy's acceptance of these easements.

Completeness of Proposal- The dedication instrument contains all of the elements recommended in the Conservancy guidelines. The easement is in gross to the State and runs with and burdens the land. Its obligations and exceptions binds and inures to the benefit of the permit applicants, the accepting agency, their successors and assigns. The Conservancy may periodically enter upon the land to insure that the restrictions are observed, and it may pursue any legal or equitable remedies for breach of the restrictions.

APPLICABLE COASTAL
ACT POLICIES:

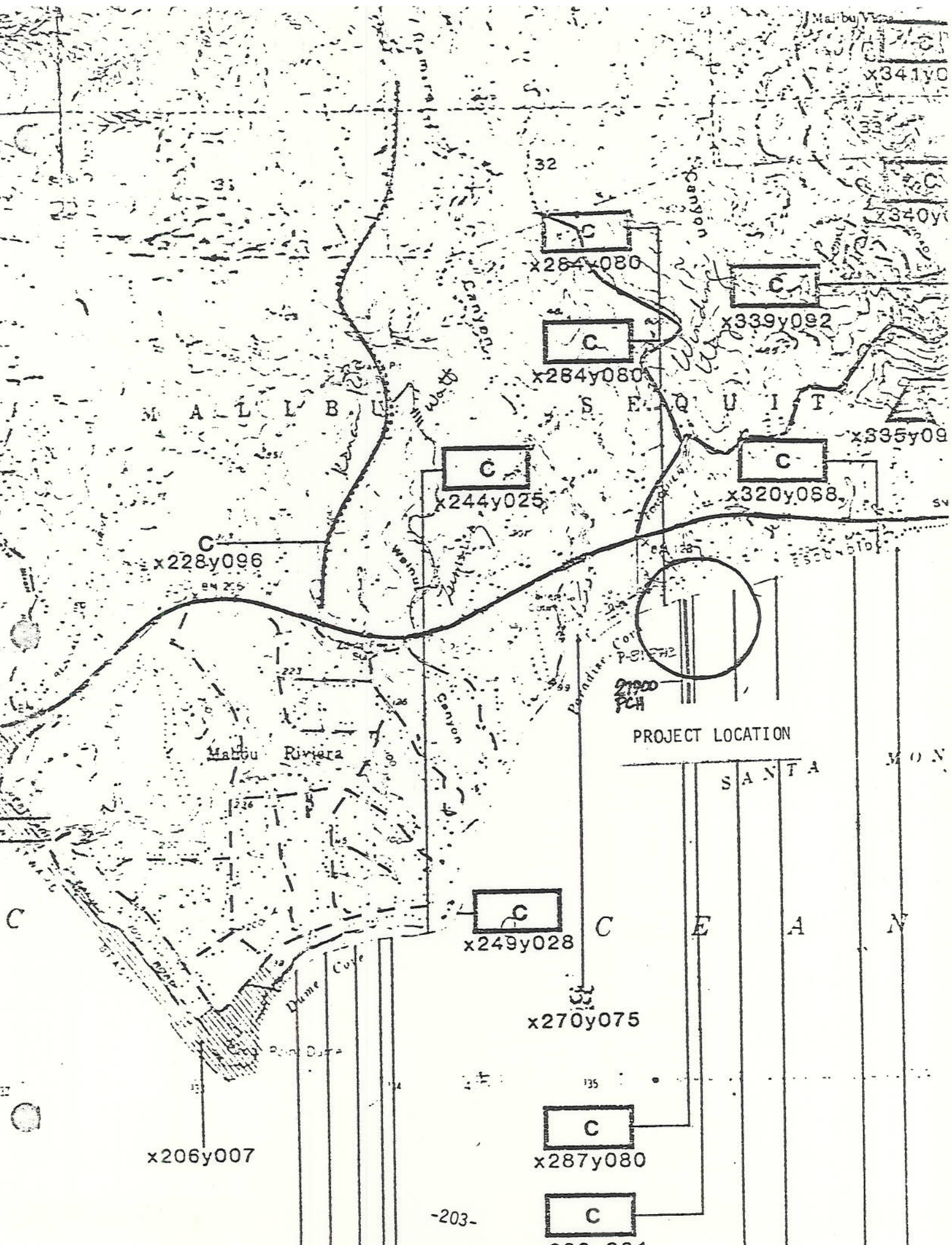
These easements provide needed public beach access plus safe and adequate public parking in Malibu, which is a significant and popular coastal recreational area (Public Resources Code Sections 30210, 30212, 30212.5).

EXHIBIT 1: VICINITY MAP



County of Los Angeles

Sheet 1 of 5



x206y007

HIGHWAY

COAST

PACIFIC

STREET

PURE

2

2624 GROSS
23046 NET

249 AC GROSS
233.22 NET

NS OF PARCELS 1
ARE SUBJECT TO
HAZARD

PROJECT LOCATION: EASEMENT SITES

NOT A PART

7-13-33
44-3886-33-13
SUBDIVISION

PASSANT

VERTICAL

AUGUST 1987

81- 1259943

DETAIL "A"

-204-

10.1.1951 5-81-44(A)

GUIDELINES AND CRITERIA
FOR CONSERVANCY ACCEPTANCE OF
DEDICATIONS AND DONATIONS OF LESS-THAN-FEE INTERESTS
IN REAL PROPERTY

(Revised January 4, 1979)

INTRODUCTION

Pursuant to Section 31104 of the Public Resources Code, the State Coastal Conservancy is authorized to accept gifts of less-than-fee interests in real property to facilitate implementation of its programs of agricultural preservation, area restoration, resource enhancement, buffer zone establishment, site reservation and public accessway development in the Coastal Zone.

In addition, ~~{proposed}~~ Section 31104.1 of the Public Resources Code requires the Conservancy to serve as a repository for lands whose reservation is required to meet the policies and objectives of the Coastal Act or a certified local coastal plan or program, and authorizes the Conservancy to accept dedication of fee title of easements, development rights, or other interests in lands including interests required to provide public access to recreation and resources areas in the Coastal Zone.

The following guidelines and criteria have been promulgated by the Conservancy to assist staff in evaluating and determining the project priority of offers which may be received by the Conservancy.

DEFINITIONS

For purposes of these guidelines and criteria, less-than-fee interests in real property are defined to include, but are not limited to, scenic easements, open-space easements, conservation easements, development rights, and access easements.

PROJECT SPECIFIC CRITERIA

Conservancy evaluation of less-than-fee donation and dedication offers ~~shall~~ *should* be based on the following project specific criteria:

1. Significance - The servient land must be significant in that it includes or benefits:
 - a. A planned or existing Conservancy project or program;
 - b. A public resource protection zone, beach, park, natural area, or fish and wildlife preserve in the Coastal Zone;
 - c. Any area identified in any state or regional local plan, or Local Coastal Plan or Program, as a significant coastal resource site;
 - d. Any area deemed to be significant in terms of Coastal Act policies; and
 - e. Any area which is to be transferred to a federal, state, or local governmental agency pursuant to a coastal program of that agency.
2. Need - Acceptance of the dedication or donation ~~must be needed because:~~ *should be based on the following project specific criteria:*
 - a. *The public interest would not be better served by the acquisition of the fee interest in the property, and either:*

- a- b. The Conservancy is the most appropriate public entity to accept the interest; or
- b- c. No other suitable public or private agency is willing and able to accept the interest.

3. Management and Maintenance -

- a. The Conservancy shall not be responsible for maintenance or management of the servient estate, or payment of real estate taxes or other assessments levied against such land.
- b. Expenditures for the maintenance and management of the less-than-fee interest shall be limited to those activities:
 - 1. Needed to ensure that restrictions are being observed by the servient owner or his successors in interest;
 - 2. Funded by other than state funds; and
 - 3. Urgently needed to fulfill a Conservancy program objective.
- c. Simultaneously with the preparation or review of the instrument creating the donated or dedicated interest, the Conservancy shall gather information concerning the then current condition of the land. Such information may be in the form of maps, including but not limited to geologic, geographic, hydrologic, and vegetative depictions; photographs; and any other recording or description which evidences the state of the land at the time of creation of the interest. Such information shall be in a form suitable for recording and shall be for the purpose of establishing the baseline condition of the land against which future changes therein may be measured and assessed. Such information shall be placed on the land records of the appropriate jurisdiction simultaneously with the recording of the instrument creating the less-than-fee interest, and the purpose of the information and its relation to the document creating said interest shall be clearly indicated on its face.
- d. At the time of the acceptance of the less-than-fee interest, the Conservancy shall prepare a plan for the monitoring of the interest. The purpose of such plan shall be to establish a program for the regular periodic inspection of the land in order to ensure compliance with the restrictions of the less-than-fee interests, and the program shall include, at a minimum, specific designations of the method and the frequency of inspection as well as provisions for notification to the owner of the land of the date and time of such inspections.

4. Scope - Relevant to this consideration are:

- a. The degree to which Conservancy ownership of the interest will address and resolve impacts of greater than local concern; and
- b. The extent to which acceptance of the dedication will address a multiplicity of Coastal Conservancy goals.

5. Cooperation with Local Government - To the fullest extent possible, the Conservancy shall seek the cooperation of local governments in evaluating dedication offers and in implementing programs for the maintenance and management of the less-than-fee interests.

6. Completeness of Proposal - The dedication proposal shall include the following articles:

- a. The original deed(s), with the State of California as the named grantee, properly executed and acknowledged, with provisions for the following:
 - i. A clause absolving the Conservancy of liability for payment of any real property taxes or other assessments levied against the land(s);
 - ii. A clause relieving the State of California of responsibility for maintaining or managing the land;
 - iii. A clause giving the State of California discretion to determine under what circumstances an action to enforce the terms of the agreement at law or in equity will arise;
 - iv. A clause authorizing the State of California, its officers and agents periodically to enter the land at times reasonably acceptable to the owner, to ensure that restrictions are being observed;
 - v. A legally sufficient description of the interest to be conveyed;
 - vi. Any appropriate restrictions on the use of the servient estate (e.g., prohibitions against building or modifying existing structures, alterations of water courses, etc.);
 - vii. A procedure by which restrictions may be modified by agreement of the parties to accommodate unforeseen changes in the future use of the property;
 - viii. If the less-than-fee interest is an easement, a clause providing that the easement is in gross to the State of California;
 - ix. A clause granting the State of California, where there is a permit, the right to assign the granted interest to another public or private non-profit agency; and
 - x. A clause providing that remedies for breach of the restrictions by the owner of the servient estate shall include:
 - A. Injunction to force a termination of the breaching activity;
 - B. Injunction to force the restoration of all damage done by such activity; and
 - C. Such further relief as may be available at law or in equity.
 - xi. A clause stating that the State of California shall have no right of control over, or duties and responsibilities with respect to, the servient estate which would subject the State of California to any liability occurring upon the land by virtue of the fact that the right of the State of California, its successors and assigns, to enter the land is strictly limited to prevent uses inconsistent with the interest granted and does not include the right to go upon the land for the purpose of correcting any dangerous condition as defined by Government Code Section 830.

- b. A plat of the property upon which the interest has been traced, together with any available photographs.
- c. A current preliminary title report issued by a reputable title company.
- d. A statement of the size in acres of the servient estate.
- e. A statement of the size, stated in square feet, of the improvements which are subject to the less-than-fee interest and a description of said improvement, if any.
- f. A copy of the grantor's escrow instructions, if any.

ACCESS DONATION PROGRAM

The Conservancy also recognizes the great need for public coastal access, and encourages the donation of access easements by private landowners. Easements can provide either "lateral" access along the shoreline, or "vertical" access to the shoreline. Under the Access Donation Program, a landowner may propose a donation of an easement to the Conservancy. Conservancy and Coastal Commission staffs, together with appropriate state or local agencies will work with the landowner to determine the exact location and dimensions of the easement. The proposed donations will then be reviewed by the Coastal Commission to determine that they are consistent with the access provisions of the Coastal Act. After the determination has been made, the Conservancy will review the dedications with a view to accepting those it deems appropriate.

The Conservancy may transfer access easements to appropriate local or state agencies if, in the judgment of the Conservancy, the other agency has developed a public access program which could include the donated easement and will provide public access.

The Project Specific Criteria set forth above shall also apply to the Access Donation Program.

Minimum Standards for Location and Development

These are the revised Coastal Access Standards, as adopted on December 2, 1981 by the California Coastal Commission and on December 9, 1981 by the State Coastal Conservancy.

These general criteria for coastal accessways provide overall guidance as to their location, size and nature. They provide the basis for the more detailed specifications for particular access situations set forth in the *Coastal Access Standards Element* (CASE) report.

These standards apply to all new developments on currently undeveloped shorefront land, the infilling of existing developed shorefront areas, and the redevelopment of existing developed shorefront areas. These specifications and criteria are intended to be used for the establishment of access right-of-way designations, dedications, and easements on both public and private lands. Design recommendations for the development of these accessways and examples of access facilities are covered in the CASE report. The CASE report, which will be available by Spring, 1982, will contain these standards, in addition to design guidelines for access facilities and case studies of selected access projects.

General Standards

Standard No. 1: Coastal access facilities should be located where they safely accommodate public use, and should be distributed throughout an area to prevent crowding, parking congestion, and misuse of coastal resources. Accessways and trails should be sited and designed: (a) to minimize alteration of natural landforms, conform to the existing contours of the land, and be subordinate to the character of their setting; (b) to prevent unwarranted hazards to the land and public safety; (c) to provide for the privacy of adjoining residences and to minimize conflicts with adjacent or nearby established uses; (d) to be consistent with military security needs; (e) to prevent misuse of environmentally sensitive habitat areas; and (f) to ensure that agriculture will not be adversely affected.

Standard No. 2: Coastal accessways located in areas of high fire or erosion hazard should be managed and constructed in a manner that does not increase the hazard potential. Access facilities on productive agricultural lands or timberlands can be temporarily closed during harvest or pesticide application times. Where appropriate, coastal accessways should be designed to correct abuses resulting from existing use.

Standard No. 3: Access facilities constructed on access easements should be no wider than necessary to accommodate the numbers and types of users that can reasonably be expected. Width of accessway facilities can vary from a minimum of 30 inches for a trail to a maximum of 10 feet or wider for ramps or paved walkways, depending on factors such as topography and proximity of the accessway to developed areas or major support facilities. Wherever possible, appropriate wheelchair access to the shoreline should be provided. Recommended widths, clearances, gradients, surfaces, and other related design criteria for various access facilities are discussed in the CASE report.

Standard No. 4: The design and placement of accessways should fully provide for the privacy of adjoining residences. Each vertical access easement in a residential area should be sufficiently wide to permit the placement of an appropriate accessway facility, such as a stairway, ramp, trail and fencing, and/or landscape buffer as necessary to ensure privacy and security. Depending on local considerations in single-family residential neighborhoods, vertical accessways may be fenced on the property line and use-restricted to daylight hours.

Standard No. 5: Public access to environmentally sensitive habitat areas such as wetlands, tidelands, or riparian areas should be evaluated on a case by case basis. Such accessways should be consistent with the policies of Chapter Three of the Coastal Act, and should be designed and constructed so as to avoid adverse effects on the resource and, where possible, enhance the resource. All such proposals should be reviewed by the State Department of Fish and Game and the Coastal Commission.

Definitions, Specifications, and Location Criteria For Accessways

Definitions and specifications are presented for lateral and vertical accessways, upland trails, scenic overlooks, bikeways, hostels and support facilities, including needs for the disabled. The following standards for the location and distribution of coastal accessways, upland trails, and other access-related facilities apply to all new developments on currently undeveloped shorefront land, the infilling of existing developed shorefront areas, and the redevelopment of existing developed shoreline areas.

The specifications and criteria included are intended to apply to access right-of-way designations, dedications, and easements on both public and private lands. Specific criteria for the development and improvement of these accessways are covered in the CASE report.

Standard No. 6: Lateral Accessways

Definition: An area of land providing public access along the water's edge. Lateral accessways should be used for public pass and repass, passive recreational use, or as otherwise designated in a certified LCP.

Specifications: Lateral accessways should include a minimum of 25 feet of dry sandy beach at all times of the year, or should include the entire sandy beach area if the width of the beach is less than 25 feet. They should not extend further landward than the foot of an existing shoreline protective device or be closer than 10 feet to an existing single-family residence, unless another distance is specified in a certified LCP. Where development poses a greater burden on public access, a larger accessway may be appropriate.



Leucadia State Beach, San Diego County.

Location: Lateral accessways should be located on all beachfront land to provide continuous and unimpeded lateral access along the entire reach of the sandy beach or other useable recreational shoreline, such as along bulkheads. Exceptions to this standard might include military installations where public access would compromise military security, industrial developments and operations that would be hazardous to public safety, and developments where topographic features such as rock outcroppings or river mouths could be hazardous to public safety.

Facilities: The proximity of the ocean generally precludes any development on these narrow strips of land other than portable support facilities such as trash receptacles, picnic tables and benches, or retractable ramps or boardwalks designed for use by persons with disabilities.

Standard No. 7: Vertical Accessways

Definition: An area of land providing a connection between the first public road, trail, or use area nearest the sea and the publicly owned tidelands or established lateral accessway. A vertical accessway should be used for public pass and repass, passive recreational use, or as otherwise designated in a certified LCP.

Specification: Vertical accessways should be a minimum of 10 feet wide as provided in the Coastal Commission's Statewide Interpretive Guidelines for Public Access.

Location: Vertical accessways should be established in all beachfront areas and should be evenly distributed and carefully located throughout such areas to the maximum extent feasible. They should be located where they provide access to onshore and/or offshore recreational areas.

Urban Areas: Where single family development exists or is planned, vertical accessways should be located where streets end at the shoreline, once every six residential parcels, or up to but not more frequently than once every 500 feet. New multiple family residential projects of five dwelling units or more should provide sufficient open space within the project for a vertical accessway, an adequate public parking area, and for construction of the access facility. Condominium conversions of existing multiple family developments of five dwelling units or more should, where feasible, provide a vertical accessway on-site. If such a facility cannot feasibly be provided within the project, it may be provided off site, but within the same general area. The presence of a public beach area with adequate access facilities nearby (within 1/4 mile) could reduce the needed frequency of vertical accessways in residential areas, as could alternative proposals from homeowners associations to provide adequate public beach access.

Commercial developments on shoreline parcels should enhance the shoreline experience by providing (or preserving) views of the ocean, vertical access through the project, and accessway facility construction and maintenance as part of the project.

Industrial development of beachfront parcels should provide vertical accessway and parking improvements appropriate to safe public shoreline use, and according to the extent to which the potential public use of the shoreline is displaced by the industrial facility.

Rural Areas: Land divisions of beachfront parcels or shoreline parcels containing beach areas should provide a vertical accessway to the beach area either as a separate parcel or

as an easement over the parcels to be created. For parcels greater than 20 acres in size, for parcels which contain more than one beach area, or where the beach area is one of substantial size (1/4 mile long or greater), more than one vertical accessway may be necessary. In rural areas, residential subdivisions or subdivisions for planned unit developments should provide vertical access facilities according to the previously stated standards for urban residential development.

Divisions of agricultural lands or timberlands should designate a vertical accessway (or accessways) of sufficient width to protect persons using the accessway and to protect adjacent crops. At least one vertical accessway should be provided on undivided agricultural or timberland parcels, through acquisition if necessary, if the parcel contains a safe beach area appropriate for public use, and where this accessway would not interfere with agricultural productivity.

Facilities: Vertical accessways can be developed with a wide range of facilities including stairways, ramps, trails, right-of-way overpasses and underpasses, or any combination thereof. Drainage systems to prevent bluff erosion and shoreline protection measures may be necessary in areas where these factors are a problem. Vertical accessways should include appropriate support facilities.



Pacific Beach, San Diego County.

Standard No. 8: Upland Trails

Definition: An area of land providing public access along a shorefront bluff or along the coast inland from the shoreline where the opportunity for lateral access along the water's edge does not exist. An upland trail can also link inland recreational facilities to the shoreline. An upland trail should be used for public pass and repass, passive recreational use, viewing the ocean and shoreline, or as otherwise designated in a certified LCP.

Specifications: Upland trail easements should be a minimum of 25 feet in width, and should in no case be located closer than 10 feet to an existing residence.

Location: Upland trails should be established on oceanfront parcels of land, along blufftop areas, or on land further inland depending on topographic conditions for optimal trail location. Upland trails should provide continuous pedestrian and/or equestrian access for passive recreational use along portions of the coast where beach access is severely limited or non-existent. Upland trails should also be located to provide a connection between the shoreline and inland units of the federal, State, or local park systems, between shoreline access easements, or between the road and a scenic overlook. Upland trails should not be located on geologically unstable bluff-top areas, on highly erosive soils, or on prime agricultural soils unless the trail easement would not disrupt agricultural production.

Facilities: Upland trail development can include clearing and grading of the trail tread; vertical and lateral clearing of brush; installing steps, footbridges, and hard surfacing where appropriate; providing an adequate trail drainage system; and the installation, where needed, of support facilities such as trash receptacles, benches, barriers, restrooms and signs.

Standard No. 9: Scenic Overlooks

Definition: An area of land that provides the public a unique or unusual view of the coast.

Specifications: Scenic overlooks should be considered an access destination, and access trails and support facilities provided where appropriate as determined by the use and location of the overlook area. Scenic overlooks should be accessible from a public road or from an upland trail.

Location: Scenic overlooks should be established on parcels that are accessible to the public road or an upland trail. Overlooks should be located on promontories or other areas that would provide vistas of a unique or unusually beautiful portion of the coastline. Once such an overlook is established, either by prior use or by designation in a certified LCP, scenic easements on surrounding parcels should ensure, to the maximum extent feasible, that permitted structures will not block or in any way diminish the views of the shoreline. Industrial developments occupying significant portions of the shoreline should provide a shoreline viewing area or suitable observation facility if vertical access to the shoreline is not feasible.

Facilities: Facilities can range from the minimal development of a roadside turnout with parking spaces, trash receptacles, and fencing as appropriate to protect private property and public safety, to a fully developed roadside rest area. Overlooks which are away from the nearest road should be accessible by trail, ramps, or stairs, and facilities can range from simple benches to viewing platforms or pavilions. Scenic overlooks should include features to enhance access for persons with disabilities, including guardrails, curb cuts, and wheelchair ramps from parking areas to the overlook area.

Standard No. 10: Coastal Bikeways

Definition: A facility specifically designated to provide access to and along the coast by nonmotorized bicycle travel as classified in Section 2373 of the Streets and Highways Code.

(a) Class I Bikeway (Bike Path or Bike Trail).

Definition: Provides a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians, with cross-flows by motorists minimized.

Specifications: The minimum surfaced width for a Class I bike path should be 8 feet for a two-way path and 5 feet for a one-way path, with a provision for a 2-foot wide graded area adjacent to either edge of the path.

(b) Class II Bikeway (Bike Lane)

Definition: Provides a restricted right-of-way in the established paved area of highways designated for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and cross-flows by pedestrians and motorists permitted.

Specifications: The minimum width of a Class II bikeway should be 4 feet wide when located along roads in outlying areas where parking is prohibited, 5 feet wide where the overall roadway width allows parallel parking, and 11 to 13 feet wide on roadways where parallel parking is allowed but with specific striping on the roadway designating the parking area.

(c) Class III Bikeway (Bike Route).

Definition: Provides a right-of-way designated by signs or permanent markings and shared with pedestrians or motorists; used primarily to provide a continuous link between Class I and II bikeways.



Santa Barbara County.

Location: Bikeways should be provided throughout the coastal zone as part of the California Department of Transportation (CALTRANS) program for the development of nonmotorized transportation facilities. Bikeways should be developed in accordance with the criteria for location and design contained in *Planning and Design Criteria for Bikeways in California*, Department of Transportation, June 30, 1978.

Facilities: Development of a Class I bikepath involves grading and surfacing of the path, striping if necessary, and installation of vehicle barriers, bike racks, fencing, and signs where needed. Class II and III bikeway development requires installation of signs and striping.

Standard No. 11: Hostels

Hostels are low-cost public travel accommodations, providing sleeping, kitchen, and bath facilities for recreational travelers traveling in groups, families or individually. Based on the European model, hostels provide low-cost overnight lodging in a climate conducive to educational, social and cultural interchange for the traveler. Maximum stay is generally three nights.

Specifications: Each hostel site should provide sufficient bed space, kitchen, and sanitary facilities for a minimum of 24 people, one parking space for every eight overnight guests and one parking space for each residential staff person.

Location: Overnight facilities, such as hostels or campgrounds, should be located at intervals of 20 to 40 miles on or near the coast, and adjacent to or within two miles of recreational trails. No more than five hours of normal travel time by bicycle should be required to get from one overnight facility to the next. Where it is impractical to locate hostel facilities within

desired travel distance, lesser accommodations such as campsites should be provided along accessways and/or park sites to link the existing trail network with hostels. Existing buildings should be used as hostel sites whenever compatible with surrounding land use and when renovation is economically feasible. Adaptable buildings in parks and public areas such as light station residences as well as suitable areas that could be developed for campsites should be given consideration for overnight facilities.

Facilities: Minimum support facilities for hostels and other overnight facilities should include public telephones, location signing along highways, and public transit stops.

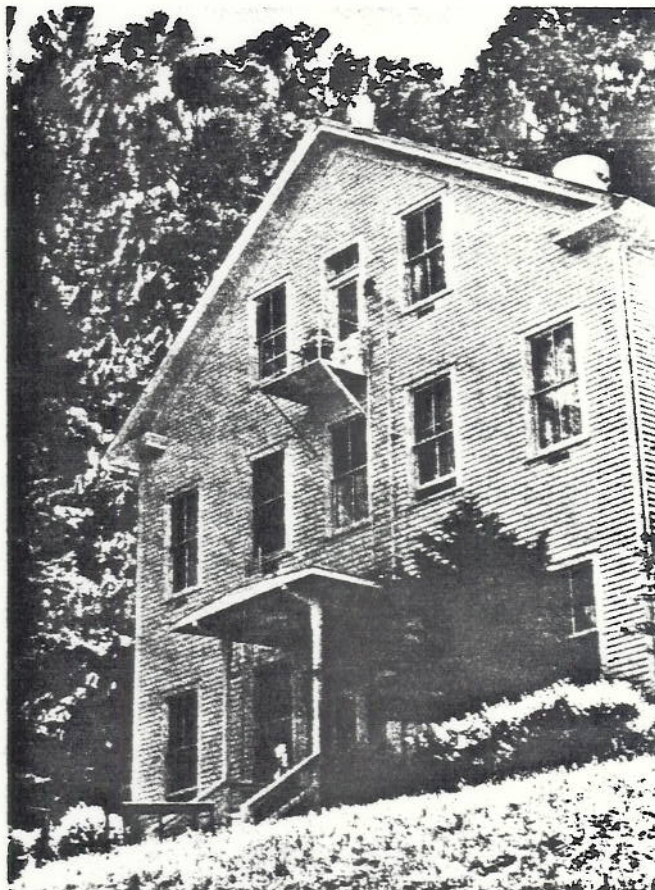
Standard No. 12: Support Facilities

Definition: Those facilities that improve ease of public use and maintenance of coastal accessways. Such facilities include signs, trash receptacles, public telephones, restrooms, showers, bike security racks, public transit loading and unloading areas, campgrounds and parking areas.

Specifications: The minimum support facilities for each vertical accessway should include signs at the nearest major thoroughfare and at the point of entry, and a trash recep-

tacle. Additionally, each vertical accessway in an existing single-family residential area serving needs greater than those of the local neighborhood should include a minimum of five on or off-street public parking spaces or a transit stop within 100 feet of the accessway. Preference should be given to small, dispersed parking areas rather than large concentrated parking lots. Upland trails should be signed at every trail intersection and marked every mile if necessary to maintain the continuity of the trail in difficult terrain. All access facilities should be signed wherever warranted to alert users about their responsibility to respect privacy and avoid trespass.

Coastal access parking at facilities which are accessible to disabled persons should include at least one designated parking space for the use of disabled persons for every 20 provided. Where vertical accessways have been specifically designed, improved, or signed for disabled persons' use, at least one of every five parking spaces should be designated for the disabled. Parking lots should be provided with curb cuts leading to all adjacent walks, paths, or trails. Restrooms and other public service facilities should be accessible to wheelchair occupants. Facilities for the disabled should be conspicuously signed.



Golden Gate Hostel, Marin County.